



Practitioner's Docket N . 50727-3C

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Barclay et al.

Application No.: 10/039,340

Group No.: 1752

Filed: December 31, 2001

Examiner: C. Hamilton

For: POLYMERS CONTAINING OXYGEN AND SULFUR ALICYCLIC UNITS
AND PHOTORESIST COMPOSITIONS COMPRISING SAME

[] *Patent No.: _____ Issue Date: _____
Reexamination Date: _____

*NOTE: Preferably also insert inventor's name and invention title.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION (37 C.F.R. SECTION 1.321(c))

Identification of Person(s) Making This Disclaimer

I, Peter F. Corless

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

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Date: 6/26/2003

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[] transmitted by facsimile to the Patent and
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Deanna M. Rivnider
Signature

Deanna M. Rivnider
(type or print name of person certifying)

(Terminal Disclaimer to Obviate a Double Patenting Rejection--page 1 of 5)

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(type or print names of all inventors or assigns or name of attorney signing disclaimer)

(a) represent that I am

☐ an inventor (applicant) of this invention.

☐ an assignee of this invention.

WARNING: "If the patent or patent application is assigned to an organization, such as a corporation, partnership, university, [g]overnment agency or similar entity, and the disclaimer is signed by the assignee, the assignee must comply with Section 3.73(b)." Notice of Oct. 15, 1993, 1156 O.G. 54-61 at 56, Section 1490, M.P.E.P., 7th Edition.

☐ a representative authorized to sign on behalf of the assignee identified below.

☐ A statement under 37 C.F.R. Section 3.73(b) is attached.

WARNING: See the above "WARNING".

☒ the attorney of record for this invention.

NOTE: The rules "permit an attorney or agent of record to sign a terminal disclaimer without the need to comply with Section 3.73(b)." Notice of Oct. 15, 1993, 1156 O.G. 54-61, at 56. See also Section 1490, M.P.E.P., 7th Edition.

IDENTITY OF ASSIGNEE AND TITLE OF DISCLAIMANT (if applicable)

The assignee is

Name of assignee Shipley Company, L.L.C.

Address of assignee 455 Forest Street

Marlborough, Massachusetts 01752

Title of disclaimant authorized to sign on behalf of assignee Attorney

of Record

EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is in:

☒ the whole of this invention.

☐ a sectional interest in this invention, as follows:

(state the exact interest of the disclaimant)

RECORDAL OF ASSIGNMENT IN PTO
(if applicable)

☒ The assignment was recorded on 05/09/2000.

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☐ Authorization for recordal of the assignment is separately attached.

☐ A separate ☐ "ASSIGNMENT (DOCUMENT) COVER SHEET" or
☐ FORM PTO 1595 is also attached.

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION
(if applicable)

☐ Attached is a STATEMENT UNDER 37 C.F.R. Section 3.73(b) establishing the right of the assignee to take action in this case.

DISCLAIMER
(select one of the following)

(Provisional Obviousness-Type Double Patenting Rejection Over A Pending Application)

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of any patent granted on Application No. _____, filed on _____, as shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the above-listed application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of any patent granted on the application forming the basis of the double patenting rejection, namely, any patent granted on Application No.: _____, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DISCLAIMER FEE (37 C.F.R. Section 1.20(d))

- ☐ Other than a small entity--fee \$110.00
- ☐ Small entity--fee \$55.00
- ☐ Small entity statement attached
- ☐ Small entity statement already filed
- ☐ in patent application ___/___ on ___
(date)

OR

(Obviousness-Type Double Patenting Rejection Over A Prior Patent)

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of Patent No. 6,306,554 as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely, Patent No.: 6,306,554, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DISCLAIMER FEE (37 C.F.R. Section 1.20(d))

- ☒ Other than a small entity--fee \$110.00
- ☐ Small entity--fee \$55.00
- ☐ Small entity statement attached
- ☐ Small entity statement already filed
- ☐ in patent application ___/___ on ___
(date)

FEE PAYMENT

- ☐ Attached is a check in the sum of \$_____.
- ☐ Charge Account _____ for any fee deficiency.
- ☒ Charge Deposit Account 04-1105 the sum of \$ 110.00.
A duplicate of this disclaimer is attached.

Date: June 26, 2003

Reg. No.: 33,860

Customer No.:

Signature of disclaimant


SIGNATURE OF PRACTITIONER

Peter F. Corless

(type or print name of practitioner)

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